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SENATE BILL 1837 By
Haun

HOUSE BILL 1683
By Whitson

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 36,
Part 6, relative to optional retirement allowances payable to
beneficiaries of the Tennessee Consolidated Retirement
System.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 8-36-601(b), is amended by adding the
following new subdivision at the end thereof:

(5) Option 5. A normal retirement allowance payable during the retired member's
life and thereafter at one half (1/2) the rate paid to the member and be paid for the life of,
and to, the beneficiary nominated by the member by written designation duly
acknowledged and filed with the board of trustees at the time of retirement; provided,
that such beneficiary must have been member's spouse at the time of the member's
retirement. The election of this option shall be subject to the following:

(A) The option shall only be available to members retiring on or after July 1,
2002 with thirty-five (35) years of creditable service or, if less than thirty-five (35)

years, with twenty (20) years of creditable service as a member of the general assembly;

(B) Notwithstanding any provision of § 8-36-606 or any other the law to the contrary, the election of this option and the beneficiary designated thereunder may not be changed or revoked by the member after such member's retirement date, except in accordance with rules and regulations adopted by the board of trustees;

(C) Any member retiring on or after July 1, 2002 who, at the time of retirement, designates that member's spouse as beneficiary under an optional allowance enumerated in either subdivision (2) or (4) above shall be deemed to have elected the optional allowance under this subdivision; and

(D) The provisions of this subdivision shall not apply to any member employed with an employer participating in the retirement system pursuant to chapter 35, part 2 of this title or pursuant to § 8-35-118 unless the governing body of such employer passes a resolution authorizing the provisions of this subdivision and accepting the liability therefor. Any such resolution shall be effective for retirements occurring on the first day of the month following passage of the resolution.

SECTION 2. Tennessee Code Annotated, Section 8-36-603, is amended by deleting the period "." at the end thereof and by substituting instead the words and figures "under any of the options enumerated in subdivisions (b)(1) – (b)(4) of § 8-36-601".

SECTION 3. Tennessee Code Annotated, Section 8-36-606, is amended by inserting immediately after the word "plan" and immediately before the comma "," in the first sentence thereof the words and figures "described in subdivisions (b)(1) – (b)(4) of § 8-36-601".

SECTION 4. The provisions of this act shall be subject to the funding being provided in the general appropriations act.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.